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Dkt. 53437-A-PCT-US/JPW/CY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Philip O. Livingston and Govindaswami Ragupathi  
Serial No.: 09/534,711 Examiner: C. Yaen  
Filed: March 24, 2000 Group Art Unit: 1642  
For: FUCOSYL GM1-KLH CONJUGATE VACCINE AGAINST SMALL  
CELL LUNG CANCER

1185 Avenue of the Americas  
New York, New York 10036  
July 7, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

COMMUNICATION IN RESPONSE TO JUNE 7, 2004  
NOTICE OF NON-COMPLIANT AMENDMENT (37 C.F.R. §1.121)

This Communication is submitted in response to a June 7, 2004 Notice of Non-Compliant Amendment (37 C.F.R. §1.121) issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of the Notice is attached hereto as **EXHIBIT A**. The Notice provides a one-month period for filing a response. Therefore, a response to the June 7, 2004 Notice is due July 7, 2004. Accordingly, this Communication is being timely filed.

REMARKS

The Examiner objected to applicants' March 15, 2004 Response To March 2, 2005 Notice Of Non-Compliant Amendment (37 C.F.R. §1.121) for allegedly not having been submitted in the format required under 37 C.F.R. §1.121. Applicants note that the date of March 15, 2004 on the June 7, 2004 Notice erroneously